10:09am

## <u>REMARKS</u>

We wish to bring the following to the Examiner's attention:

The claims being examined are claims 23-44 and 63-68, not 23-44 and 63-69 as 1. indicated in the Office Action.

6502334545

- The Office Action refers to claims 63-69 [sic] as "dependent upon a rejected base 2. claim, but [they] would be allowable if rewritten in independent form." However, claims 63, 67, and 68 are independent claims.
- 3. The Examiner lists U.S. Patent 6,312,134 B1 as a reference cited by the Examiner. However, this patent was listed in Applicant's Information Disclosure Statement filed January 8, 2004.

Applicant requests that a revised first substantive Office Action be issued that addresses the allowability of independent claims 63, 67, and 68.

Date: May 5, 2005

Respectfully submiffed

David H. Jaffer

Reg. No. 32,243

Customer No.: 27498

PILLSBURY WINTHROP SHAW PITTMAN LLP

2475 Hanover Street

Palo Alto, CA 94304-1114

Tel: (650) 233-4510

Fax: (650) 233-4545

## CERTIFICATE OF FILING BY FACSIMILE TRANSMISSION

I, Diana Dearing, certify that this paper is being sent via facsimile transmission to MAIL STOP AMENDMENT, Commissioner of Patents, Attention: Brandi N. Thomas, Examiner, at (571) 273-2341, on May 5, 2005.

Diana Dearing

2